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<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/663,674	HIDAKA, HIDETO	
	Examiner	Art Unit	
	ANH PHUNG	2824	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to the RCE received on June 29, 2005.
2. ☒ The allowed claim(s) is/are 1-5 and 20-39.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/135,459.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

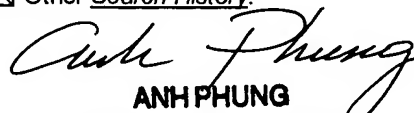
\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>9/17/03 &amp; 7/19/05</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input checked="" type="checkbox"/> Other <u>Search History.</u></li> </ol> |
|--|---|

  
**ANH PHUNG**  
**PRIMARY EXAMINER**

### **DETAILED ACTION**

1. This Office Action is responsive to the RCE received on June 29, 2005, claims **1-5** and **20-39** are pending in the application.

#### ***Examiner's amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The specification has been amended as follows:

Page 1, after "May 1, 2002", insert -- , now **U.S. Pat. No. 6,646,911, issued on November 11, 2003** --.

The examiner's amendment has been made in order to place the application in a condition for allowance.

#### ***Priority***

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/135,459, filed on May 1, 2002.

#### ***Information Disclosure Statement***

4. This office acknowledges receipt of the following items from the Applicant:  
Information Disclosure Statements (IDS) filed September 17, 2003 and July 19, 2005. Information disclosed and listed on PTO 1449 were considered.

***Examiner's Statement of Reasons for Allowance***

5. Claims **1-5** and **20-39** are allowed.

Ooishi (U.S. Pat. No. 6,597,601) and Scheuerlein (U.S. Pat. No. 5,793,697) disclose a thin film magnetic memory device having data read circuit similar to that of the present application, but fail to teach:

“a data read circuit for reading said stored data of said selected memory cell, and wherein said data read circuit includes a constant current circuit electrically connected between a second voltage and said internal node, and supplying a constant current according to a control voltage adjustable in a nonvolatile manner according to an external input, to said internal node, and a voltage amplification circuit generating read data according to a voltages of said internal node” as claimed in the independent claim **1** and dependent claims **2-5** are also allowed; or

“a data read circuit for reading said stored data of a selected memory cell, and wherein said data read circuit includes a read current circuit for supplying a read current which is adjustable according to an external input and an amplification circuit generating read data according to the stored memory cell data by using said read current” as claimed in the independent claim **20** and dependent claims **21-25** are also allowed; or

“a current supply circuit supplying a current passing through said storage portion, said current supply circuit supplying a first constant current to at least one of said plurality of data lines in a normal operation mode, and supplying a second constant current higher t11% said first constant current, to at least one of said plurality of data

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lines in another operation mode” as claimed in the independent claim **26** and dependent claims **27-39** are also allowed.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comment on Statement of Reasons for Allowance”.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANH PHUNG** whose telephone number is **(571) 272-1883**. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD ELMS**, can be reached on **(571) 272-1869**. The fax phone number for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

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AKP

A handwritten signature in cursive script, reading "Anh Phung". The signature is written in black ink and is positioned above the printed name and title.

**ANH PHUNG**  
**PRIMARY EXAMINER**